

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRISTATE HVAC EQUIPMENT, LLP,

Plaintiff,

v.

BIG BELLY SOLAR, INC.,

Defendant.

CIVIL ACTION NO. 10-1054

ORDER

AND NOW, this 20th day of January, 2011, upon careful consideration of plaintiff TriState's motion for partial reconsideration (docket no. 14), defendant Big Belly's opposition thereto, and TriState's reply, **IT IS HEREBY ORDERED** that the motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The motion for reconsideration is **DENIED** as to the dismissal of TriState's Lanham Act claim.

2. The motion for reconsideration is **GRANTED** as to the transfer of venue to the District of Massachusetts, and the original motion to transfer venue is **DENIED**. Venue shall be retained in the Eastern District of Pennsylvania.

3. Big Belly shall file a response to TriState's motion for leave to file an amended complaint (docket no. 15) within fourteen days of the date of this order.

/s/ William H. Yohn Jr., Judge

William H. Yohn Jr., Judge